

Serial No. 10/049,208
A0000135-01-CFP

REMARKS

I. Status of the Application

This paper responds to a final Office action, which was mailed on April 4, 2004. The present application is a U.S. national filing of a PCT application. The PCT application was filed with 18 claims, which prior to entry in the U.S., were amended under Article 19 of the PCT, resulting in claims 1-17. A prior amendment canceled claims 1-17, without prejudice or disclaimer, and added new claims 18-37. A subsequent amendment modified claims 18, 22, 27, and 29. The present paper amends claims 18, 22, 27, and 29, and cancels claim 19 without prejudice or disclaimer. Accordingly, claims 18, and 20-37 are under currently under consideration.

Applicant submits that entry of this after final amendment is proper because it raises no new issues requiring a further search of the prior art and it places the claims in condition for allowance. Applicant respectfully requests reconsideration of the pending claims. By action taken here, Applicant in no way intends to surrender any range of equivalents beyond that needed to patentably distinguish the claimed invention as a whole over the prior art. Applicant expressly reserves all such equivalents that may fall in the range between Applicant's literal claim recitations and combinations taught or suggested by the prior art.

II. Amendment of claims 18, 22, 27, and 29

Applicant has deleted the term "analyzing" from claim 18 and the phrase "drug candidate" from claims 18, 22, 27, and 29. The amendment of claims 18, 22, 27, and 29 is fully supported in the specification as filed (see, e.g., page 1, lines 12-14 and page 2, lines 1-9 of the application). Therefore, Applicant submits that none of the amendments introduce new matter.

III. Rejection of Claim 18-37 Under 35 U.S.C. § 112, Second Paragraph

The present Office action rejected claims 18-37 under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Office action contends that (1) the term "analyzing" is not clear, and that (2) the phrase "drug candidate" is indefinite. In addition, the Office action alleges

(After Final Amendment—page 5 of 6)

Serial No. 10/049,208
A0000135-01-CFP

that (3) there is insufficient antecedent basis for the term "polyhalogenated aliphatic solvent."
Applicant respectfully traverses the rejections.

Applicant has deleted the term "analyzing" from claim 18 thereby obviating the first rejection. Applicant has deleted the term "candidate" from claims 18, 22, 27, and 29, thereby obviating the second rejection. Because it modifies the now deleted term "candidate," Applicant has also deleted the second occurrence of "drug" in claims 18, 22, 27, and 29. Finally, in the interest of furthering prosecution, Applicant has canceled claim 19, thereby obviating the third rejection. Applicant reiterates, however, that claim 19 (now canceled) recited a reaction medium that included an inert aromatic solvent and a polyhalogenated aliphatic solvent and that claim 19 was therefore proper.

Applicant respectfully requests withdrawal of the rejections of claims 18 and 20-37.

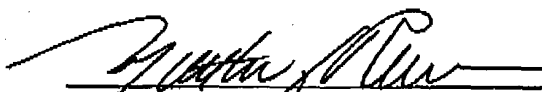
IV. Conclusion

In view of the foregoing, Applicant respectfully submits that all pending claims are patentable. If the Examiner has any questions, Applicant requests that the Examiner telephone the undersigned.

Applicant believes that no fees are due. If, however, Applicant has overlooked any fees that are required in connection with the filing of this paper, please charge deposit account number 23-0455.

Respectfully submitted,

Date: June 9, 2004



Matthew J. Russo
Registration No. 41,282
Warner-Lambert Company LLC
2800 Plymouth Road
Ann Arbor, MI 48105
Tel: (734) 622-1747
Fax: (734) 622-2928
Customer No. 28880

(After Final Amendment—page 6 of 6)